

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Claims 1-10 were pending in the instant application at the time of the outstanding Office Action. Claims 1, 5, and 7 are independent claims; the other claims are dependent claims. Claims 1-10 stand rejected under 35 U.S.C. 102(e) as being anticipated by Glorikian. Reconsideration and withdrawal of the present rejection is hereby respectfully requested.

As best understood, Glorikian is directed to “providing information to ... clients based on the [tracked geographical location of clients]” (Col. 1, lines 10-11), or in other words, “a system for delivering position-related information from a data repository to a user”. (Col. 2, lines 8-10) As further explained, the “direction of change in location may be used as well, and the rate of change, and **other dynamics derivative from location and time.**” (Col. 6, lines 17-19; emphasis added) There is no disclosure in Glorikian that the information conveyed to a user of the system is based on anything other than geographic location. It is left up to the user of the system to pursue the geographic based information and determine, what information, if any, is of interest to the user. See Col. 10, lines 53-57 (with respect to advertising, “[i]t is left up to the traveler to determine the

access. For example, at lunch time, or when hunger strikes, the traveler may simply access the cache and peruse a short list of local lunch establishments.”)

As amended, Independent Claims 1 and 5 recite **inferring a likely interest** of the user and **transmitting data related to the inferred interest** to the wireless device. Claim 7 has been to correct a formal matter, and recites using an optionally determined need to generate a recommendation to be transmitted to said user. See Application, Page 13, lines 8-26. At a minimum, Glorikian lacks these features, as the information provided in Glorikian is strictly location based and there is no disclosure in Glorikian of filtering the location based information presented to a user by “inferring a likely interest” or “using an optionally determined need”. It should be noted that these amendments are not in acquiescence of the Examiner’s position on the allowability of the claims, but merely to expedite prosecution.

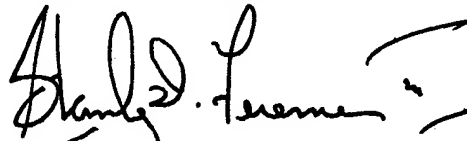
In view of the foregoing, it is respectfully submitted that Claims 1, 5, and 7 fully distinguish over the applied art and are thus in condition for allowance. By virtue of dependence from what are believed to be allowable independent Claims 1, 5, and 7, it is respectfully submitted that Claims 2-4, 6, and 8-10 are also presently allowable.

The “prior art made of record” has been review. Applicants acknowledge that such prior art was not deemed by the Office to be sufficiently relevant as to have applied against the claims of the instant application. To the extent that the Office may apply such art against the claims in the future, Applicants will be fully prepared to respond thereto.

In summary, it is respectfully submitted that the instant application, including Claims 1-10, are presently in condition for allowance. Notice to the effect is hereby earnestly solicited.

Applicants' undersigned attorney would welcomes further discussion with the Office in the event there are any further issues in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stanley D. Ference III", written over a horizontal line.

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